

Mikulski	Robb	Thompson
Moseley-Braun	Rockefeller	Torricelli
Moynihan	Santorum	Wellstone
Murray	Sarbanes	Wyden
Reed	Snowe	
Reid	Specter	

The PRESIDING OFFICER (Mr. BURNS). On this vote, the yeas are 48, the nays are 52. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

#### FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 1998

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consideration of House Joint Resolution 97 with the joint resolution to be considered read for the third time.

The question is now on the passage of House Joint Resolution 97.

Mr. STEVENS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the passage of the joint resolution. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 276 Leg.]

#### YEAS—100

Abraham	Feingold	Lugar
Akaka	Feinstein	Mack
Allard	Ford	McCain
Ashcroft	Frist	McConnell
Baucus	Glenn	Mikulski
Bennett	Gorton	Moseley-Braun
Biden	Graham	Moynihan
Bingaman	Gramm	Murkowski
Bond	Grams	Murray
Boxer	Grassley	Nickles
Breaux	Gregg	Reed
Brownback	Hagel	Reid
Bryan	Harkin	Robb
Bumpers	Hatch	Roberts
Burns	Helms	Rockefeller
Byrd	Hollings	Roth
Campbell	Hutchinson	Santorum
Chafee	Hutchison	Sarbanes
Cleland	Inhofe	Sessions
Coats	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Smith (OR)
Conrad	Kempthorne	Snowe
Coverdell	Kennedy	Specter
Craig	Kerrey	Stevens
D'Amato	Kerry	Thomas
Daschle	Kohl	Thompson
DeWine	Kyl	Thurmond
Dodd	Landrieu	Torricelli
Domenici	Lautenberg	Warner
Dorgan	Leahy	Wellstone
Durbin	Levin	Wyden
Enzi	Lieberman	
Faircloth	Lott	

The joint resolution (H.J. Res. 97) was passed.

The PRESIDING OFFICER. Who seeks recognition? The majority leader.

#### THE SENATE SCHEDULE

Mr. LOTT. Mr. President, for the information of all Senators, under the

provisions of rule XXII, the second cloture vote will occur immediately, unless changed by unanimous consent. We had the first cloture vote, which was not agreed to. Then we had the vote on the continuing resolution. I am glad we got that done now.

My intent had been to have the second cloture vote later on in the day to give Members time to assess where we were on the ISTEA, and see if they would like to have an ISTEA bill and see if there is a way to sort of get things that are wrapped around the axle moved in such a way that we could go forward with this very important transportation infrastructure bill. But I understand our Democratic colleagues will not grant consent for the cloture vote to occur at 3 o'clock today. They want the cloture vote right now. I don't think that is wise. I think we need 3 hours here to sort of assess where we are, have some discussions, and then have a vote.

So, with that in mind, I will shortly move to recess the Senate, then, until 3 o'clock today. Therefore, Senators can expect the next vote to occur at 3 p.m., on the second cloture motion with regard to the ISTEA highway infrastructure extension bill, and hopefully we will have some greater success there.

If we don't get cloture—and I had hoped we would on the second cloture vote—we have a cloture motion filed and we will have another cloture vote on Friday. I know some Senators have things they need to do. I know there will be some Senators absent and therefore it would be even more difficult to get the cloture vote to pass on Friday.

If we don't get cloture then, as majority leader I have to make a call, after consultation with Members on both sides of this very important ISTEA transportation bill, as to whether we just pull it down and then next week try to move to other issues. We may have to have debate and votes on the Federal Reserve nominees. We have two Federal Reserve nominees that there is a hold on. It would be my intent to call those up because I don't think we ought to delay Federal Reserve nominees for any of our maneuverings around here. That could possibly be done on Monday.

We also have a judge on the calendar that we have cleared, except a vote is going to be required. So we probably would have that vote on Monday at 5 o'clock. And again, I am not locking all these in. I am just trying to advise Members where we are.

Then we could very well move to a variety of bills that are pending—they are very serious—that we would like to get done before we adjourn for the end of the year. That would include, of course, Amtrak reform, which we need very badly. A lot of good work has been done on it. We have, of course, a threatened Amtrak strike that we may have to act on. We have the juvenile justice bill. We have the adoption and

foster care bill. I thought we had bipartisan agreement on that, but there seem to be some problems with it. But we will begin to look at bringing up other bills. Also, then, next week we hope to begin the fast-track legislation, with the intent of completing action one way or the other on fast track early the first week in November.

So that is kind of where it is. I think my inclination now is, if we don't get cloture this afternoon and we don't get cloture tomorrow, then we would have to just say, well, campaign finance reform took down the very important ISTEA infrastructure bill. That is kind of where we are, and I am prepared now to move that the Senate stand in recess until 3 p.m. today.

Mr. DORGAN. Will the Senator yield for a question?

Mr. LOTT. I will yield to the Senator for a question.

Mr. DORGAN. The Senator mentioned fast track. I would not expect us to have fast consideration of fast track. I would expect that piece of legislation would take some significant time. But that wasn't the reason I asked the Senator to yield.

There clearly is a wrench in the crankcase here and we are not moving. I suspect the Senator from Mississippi, the majority leader, feels the wrench is he's not able to get cloture on the highway bill and others feel that the wrench is that we are not able to get a vote on the McCain-Feingold legislation. I wonder whether we wouldn't, in the coming days, be able to accomplish both purposes. Are there circumstances under which we might be able to expect that we can proceed on the highway bill and proceed to find a way to have a vote in some fashion on the McCain-Feingold campaign finance reform bill?

Mr. LOTT. We have already had votes on the McCain-Feingold issue. It may not have been the way that some Senators would have liked to have had it, but we have had votes on it. There is not a consensus on what to do on campaign finance reform at this time that could get the approval of the Senate, which requires 60 votes. I mean, that is what the Senator from North Dakota has indicated he is going to force on the fast track. He's probably going to have a filibuster and we'll have to get 60 votes on cloture to move on fast track. He may be successful in blocking fast track, which the President is very anxious to get and, in a meeting earlier this week, requested that I schedule it before we go out, and I want to do that. But he understands full well what the rules of the Senate are, and he's going to take full advantage of them, and that's his right.

So, the same is applicable here. There is no consensus yet on how we can come together on campaign finance reform. This issue will come up again. I don't think it makes good sense for it to come up again this year. It will come up again in the future. I assume it will come up in a very different form in the future. Maybe not.